

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

DEKATOR LANE NUNLEY,

Plaintiff,

v.

STEPHENS COUNTY, et al.,

Defendants.

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Case No. CIV-21-309-J

ORDER

Plaintiff Dekator Lane Nunley, a state inmate appearing pro se and in forma pauperis, filed a lawsuit under 42 U.S.C. § 1983 alleging violations of the Eighth Amendment. The matter was referred to United States Magistrate Judge Shon T. Erwin for initial proceedings consistent with 28 U.S.C. § 636. [Doc. No. 4]. On February 17, 2022, Judge Erwin issued two Reports and Recommendation recommending that the Court: (1) grant Defendant Kaytie Jones' Motion for Summary Judgment, and (2) dismiss this case against Defendant Barry Rohrbough, without prejudice, based upon Plaintiff's failure to comply with the Court's orders. [Doc. Nos. 22 and 23]. Plaintiff was advised of his right to object to the Reports and Recommendation by March 7, 2022. No objection has been filed. Plaintiff has therefore waived any right to appellate review of the factual and legal issues in the Reports and Recommendation. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991).

Accordingly, the Court ADOPTS the Reports and Recommendation [Doc. Nos. 22 and 23], GRANTS Defendant Jones' Motion for Summary Judgment [Doc. No. 18], and DISMISSES this case against Defendant Rohrbough, without prejudice.

IT IS SO ORDERED this 21st day of March, 2022.

A handwritten signature in blue ink, appearing to read "B.M.J.", is written above a horizontal line.

BERNARD M. JONES
UNITED STATES DISTRICT JUDGE